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October 17, 1997

BY HAND

Shauna L. Quill
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
New York, New York 10004-1462

GENERAL COUNSEL
OF COPYRIGHT

OCT 21 1997

RECEIVED

Re: In re the Matter of Adjustment of the Rates for Noncommercial Educational
Broadcasting Compulsory License, Docket 96-6 CARP NCBRA U.S. Copyright
Office, Library of Congress

Dear Shauna:

Enclosed are our comments regarding the exhibits with which you found problems in for the above mentioned matter. We would suggest to you that you might wish to check the set of your client, BMI, to find out if they have any problems with its set. Please feel free to contact me if should need any additional assistance.

EXHIBIT	PAGE(S)	PROBLEM	COMMENTS
11	16	Missing	Enclosed
325	pp. 386-389	Out of sequence	pp. 388 - 391 are duplicative of pp. 384-387; note sequence of numbers in the bottom left corner to denote pages (1 of 4)
335	20, 24, 26, 30, 38	Missing	Enclosed

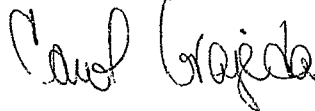
WHITE & CASE

Shauna L. Quill

Page 2

503	1, 33, 225	Missing	pp.1, 33 enclosed; 225 never existed, bates numbering sequence skips from 224 to 226.
520	95	Appears twice	We apologize, please remove one set.
612	14-16	Missing	Pages in question do not appear in the 1995 IRS Return of Organization Exempt from Income Tax filed by WSKG as we received it from the State's Office of the Attorney General.

Best regards,



Carol Grajeda
Senior Legal Assistant

JMMCG:cg

Enclosures

cc: Tanya Sandros, Copyright Office (w/encl.)
Joan McGivern, Esq.

tors of the public telecommunications organizations (or their designees), the chief telecommunications spokesman for the Administration (or his designee), and one member representing all public television stations and one member representing all public radio stations.

The FCC shall provide staff and funding as required by the Temporary Commission but this should not exceed \$500,000. The other organizations represented on the Temporary Commission are authorized and encouraged but not required to provide staff and other support to the Temporary Commission.

The Committee expects the Commission to explore aggressively *all* possible means of alternative financing, including such mechanisms as a national income tax check-off, excise taxes on radio and television receivers, and product and institutional advertising, as well as those mechanisms allowed by H.R. 3238.

In examining alternative financing mechanisms, the Commission is directed to keep in mind the following criteria:

- (a) continued growth in audience coverage and programming excellence, and
- (b) insulation of program control and content from the influence of special interests—be they commercial, political or religious.

The Commission's report must demonstrate that the financing proposals recommended therein satisfy those criteria. If the Commission rejects a proposal, the report shall so state and furnish an explanation of the reasons a proposal was rejected.

These criteria, together with the balanced membership of the Commission, should ensure that the study is conducted in a vigorous and objective fashion and that its findings and recommendations will be substantive and credible. The report of the Commission is to be completed no later than July 1, 1982.

Public stations are authorized to broadcast logograms of program underwriters. In addition, the legislation permits public broadcast stations to provide services, facilities or products in exchange for remuneration, so long as no Federal funds are used to subsidize such activities, and so long as they do not interfere with the provision of public telecommunications services. To protect against such cross-subsidization the Committee recognized the need for public stations to establish an accounting system that identifies costs and revenues related to the rendering of commercial activities. The Committee is fully cognizant of the fact that public broadcast stations must be free to generate substantial sums of additional revenue from the pursuit of commercial activities if the nation's public broadcasting system is to survive during these times of austerity and still provide high quality programming.

Public Telecommunications Facilities Program:

The public telecommunications facilities grant program was established by Congress in 1962 to provide matching grants to establish and expand public television broadcasting stations including the acquisition and installation of radio and television broadcasting apparatus. The Public Broadcasting Act of 1967 expanded the program to include educational radio facilities. The 1978 Act expanded the program to cover non-traditional telecommunications facilities.



American Program Service
summer 1997 program catalog



ASCAP Ex. **335**

**Red Skelton Package II
(3/Var)**

Performance

Supplier: C/P Productions, Inc.
Rights: 4RL/2YR
Offered July '96
Contract: 10/1/96-9/30/98

*Red Skelton: Funny Faces III
(1/50) [STEREO]*

This program features some of Skelton's most famous and outlandish skits, including "Man Putting on a Girdle," and "Whale Getting a Flu Shot." This one-man show was recorded live in 1982 in Hamilton, Canada. Skelton, 70 years old at the time of the performance, makes gracious fun of his senior citizen status, and his physical gags are as well-timed as ever.

Red Skelton: A Royal Command Performance (1/51)

Taped at London's Royal Albert Hall in 1984, this one-man show features Skelton performing his most memorable routines, with visits from the comical Clem Kaddiddlehopper and those silly seagulls, Gertrude and Heathcliff, before a distinguished audience that includes Princess Margaret of England's royal family.

*Red Skelton's More Funny Faces
(1/56)*

Recorded live in 1981 at the Centre In The Square Theatre in Kitchener, Canada, the program brings the invisible to life as two classic entertainers dazzle the enthusiastic audience with the ancient art of pantomime. Skelton's cast of "silent performers" features a little old man oiling a squeaky door and a disgruntled tourist climbing the Eiffel Tower. Internationally renowned pantomimist Marcel Marceau performs his classic routines highlighted by Bip, the sad-faced clown.

**Reflections of Mr. Bean
(1/57)**

[STEREO]

"Best of" Special

Supplier: Devillier/Donagan Enterprises, Inc.
Rights: 5RL/2YR 2MON
Offered Nov. '95
Contract: 2/1/96-3/31/98

This public television special features the best skits from the popular series starring Rowan Atkinson as the bumbling but endearing Mr. Bean. As Mr. Bean searches in his attic for an umbrella, he uncovers reminders of some of his most hilarious misadventures.

Flag: *Contains some "naughty" visual gags.*

Remarks: *APS Premium 7. See also Mr. Bean in this section.*

new

**Royal Canadian Air
Farce (13/27)**

[STEREO] [CC]

Series

Supplier: Air Farce Productions
Rights: 3DR/15MON
Offered April '97
Contract: 7/1/97-9/30/98

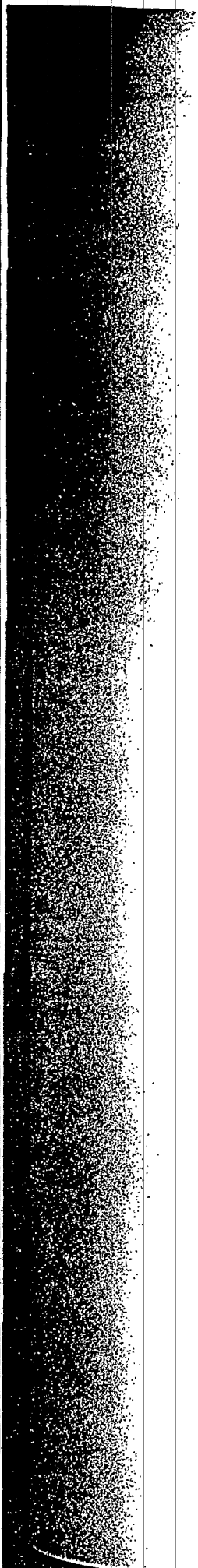
After 22 years on the radio waves, *Royal Canadian Air Farce* has managed to break into television. The comic quartet that makes up the cast — Don Ferguson, John Morgan, Luba Goy and Roger Abbott — pokes fun at politicians, celebrities and newsmakers through sketches that have their roots in shows like *Saturday Night Live*, or *SCTV*. The public television version of this Canadian show casts a wide net, lampooning things to which Americans can relate — all in front of a live audience.

Flag: *Some episodes include adult humor. Details TBA.*

Product(s) for Pledge:
VHS, CD, Other

Product(s) for Viewers:
VHS, CD, Other

documentary



Beat Generation: An American Dream, The
(1/86 or 1/60*)

Cultural History

Supplier: Devillier/Donagan Enterprises, Inc.

Rights: 3RL/2YR

Offered March '96

Contract: 6/30/96-6/29/98

Steve Allen hosts this atmospheric portrait of the Beat Generation, which includes interviews with such personalities as Allen Ginsberg, LeRoi Jones, William Burroughs, Lawrence Ferlinghetti, Carolyn Cassady, Diane diPrima, Timothy Leary and Abbie Hoffman. The interviews combine with archival film footage of Neal Cassady, Jack Kerouac and Thelonious Monk to depict the beats' lifestyle which clashed with the traditional structures of sexuality and family of mainstream '50s culture.

Flag: *Contains moderate/strong language.*

Remarks: *Stations must choose one version for broadcast.

Because They Were Jews (1/60)

[STEREO]

History

Supplier: WCET/Cincinnati

Rights: 4RL/3YR

Non-commercial cable

Offered July '95

Contract: 12/1/95-11/30/98

This program features testimonials from 10 Holocaust survivors and three camp liberators — all living in Cincinnati, Ohio. Their stories are interwoven with archival film and photographs to give a composite profile of the Holocaust experience from the survivors' perspective. The program also features testimony from Californian Irene Opdyke, who risked her life to rescue Polish Jews during the Second World War.

Remarks: *APS Exchange.*

Behind the Wheel (1/23)

[STEREO]

Lifestyle

Supplier: Portfolio Int'l

Rights: 3RL/2YR

Offered July '95

Contract: 1/1/96-12/31/97

This half-hour documentary humorously profiles six drivers and their intimate — often bizarre — relationships with their cars, gently poking fun at an obsession that has existed since the first Model T rolled off Henry Ford's lot.

Flag: *Two incidences of strong language.*

Remarks: *Remainder of APS contract is exclusive.*

Berlin: Journey of a City (1/60)

History

Supplier: WMHT/ Schenectady

Rights: 4RL/3YR

Non-commercial cable

School re-record

Offered March '95

Contract: 9/1/95-8/31/98

This documentary tells the story of Berlin and its inhabitants over the past 50 years, from the time of its capture by the Soviet Union in 1945 and the Berlin airlift, when the Soviets tried to choke off the city in 1948 to force the Western Allies out. The focal point of the Cold War, Berlin became a city divided — literally — by East-West politics. Through the memories of those who have lived there over the past 50 years, and the extensive use of historical footage, Berlin's modern history unfolds, concluding with the last ceremony honoring the withdrawal of the Allies from Berlin. Among those interviewed are Richard von Weizsacker, former president of Germany, and Colonel Gail Halverson, who was known as "The Candy Bomber" during the Berlin airlift. Historical footage includes performances by Bob Hope and Irving Berlin.

Remarks: *APS Exchange.*

Beyond the Wall (1/26)

[STEREO]

Culture

Supplier: Henninger Media Dev.

Rights: 4RL/2YR

Offered July '96

Contract: 11/1/96-10/31/98

Filmed against the stunning backdrop of China, *Beyond the Wall* follows 28 American high school students on a historic journey to become the first to perform a Broadway musical in China. The talented teenagers from Connecticut, who perform the hit musical *Once Upon a Mattress*, benefit in many unexpected ways from their two-week visit; by gaining insights into the culture of their host country, they acquire a better understanding of themselves.

Product(s) for Pledge:

VHS

Product(s) for Viewers:

VHS

new

Biggin Hill International Air Fair* (1/50)

Aviation Documentary

Supplier: Beckmann

Communications

Rights: 3RL/2YR

Offered Nov. '96

Contract: 5/1/97-4/30/99

Biggin Hill International Air Fair gives aviation enthusiasts a front row seat to one of the world's biggest and best air shows. Featuring war birds from every era of military aviation — WWI Fokker biplanes to the most up-to-date Harrier and Sukhoi jets — the show takes armchair aviators out of their living rooms and puts them into the cockpit. Filled with dazzling displays of flight expertise, the show also offers historical and technical information about the featured airplanes and helicopters.

Remarks: **On screen title is "Biggin Hill International Air Fair — The Very Best of."*

new**Block by Block (1/60)****[STEREO] [CC]***Human Interest*

Supplier: KQED/San Francisco

Rights: 4RL/3YR

Non-commercial cable

School re-record

Offered Nov. '96

Contract: 4/1/97-3/31/00

Block by Block travels to Chicago, Newark, New York, San Francisco, Los Angeles, Baltimore and Indianapolis to meet some remarkable people. Struggling against seemingly insurmountable odds, these modern-day heroes are changing the face of their neighborhoods, their communities, and their cities — one block at a time. Narrated by James Earl Jones, this one-hour special shows that poverty is not a statement about individuals, but rather a condition which anyone may experience at some point in life; and finally, that poverty is reversible.

Remarks: *APS Exchange.*

**Originally offered as Building Community in America's Inner Cities: Block by Block.*

Product(s) for Viewers:
VHS

Building for Meaning (1/60)**[STEREO]***Architecture*

Supplier: WFYI/Indianapolis

Rights: 4RL/2YR

Non-commercial cable

Offered July '95

Contract: 1/1/96-12/31/97

This one-hour documentary profiles architect Evans Woollen and looks at a sampling of his work. Through the comments of critics and those who use his buildings, viewers come to understand his process of designing a structure which reflects the heritage of its owners and its connection to the physical and psychological conditions of its place. A look at several Woollen buildings reveals how his creations become more than structures of stone, brick and mortar. The program also looks at Woollen's view of architecture as being in a constant state of change — before, during and after construction.

Remarks: *APS Exchange.*

Product(s) for Viewers:
VHS

Cape Cod Reflections (1/30)**[STEREO]***Nature*

Supplier: Connecticut Public TV

Rights: 4RL/3YR

Non-commercial cable

Offered Nov. '95

Contract: 3/1/96-2/28/99

Through spectacular and subtle views, this program pays tribute to the Upper Cape's distinctive geographies — bay, beach, marsh and flat. Beautifully composed shots and aerial photography document the brilliant hues of summer, spring beach flowers, and the moody gathering of a fall mist on the Cape. Sparse narration combined with inspired writings of Henry David Thoreau and Henry Beston, ambient sound, and subtle music make this a celebration of one of the East Coast's natural treasures.

Remarks: *APS Exchange.*

Product(s) for Pledge:
VHS

Product(s) for Viewers:
VHS

**Cape May: Victorians
by the Sea (1/30)**

History/Architecture

Supplier: WHYY/Philadelphia

Rights: UNL/2YR

Non-commercial cable

School re-record

Offered Nov. '95

Contract: 4/1/96-3/31/98

This documentary visits the enchanting seaside resort of Cape May, New Jersey, a national historic landmark town which has the largest concentration of Victorian buildings in the United States. The documentary evokes images of yesteryear with archival letters, postcards and 19th century photographs, tracing the emergence of Cape May as one of America's oldest beach retreats to which thousands flocked in the 1850s. The program also highlights Victorian architecture, offering unique views of these prominent buildings and the original families who owned them.

Remarks: *APS Exchange.*

Supplier reserves the right to sell program in markets not licensed to a PTV station.

Product(s) for Viewers:
VHS

**Cedar Point Memories
(1/60)**

[STEREO]

Nostalgia

Supplier: WBGU/Bowling Green

Rights: UNL/3YR

Non-commercial cable

School re-record

Simulcast

Offered March '95

Contract: 7/1/95-6/30/98

This documentary examines one of America's most beloved amusement parks — historic Cedar Point in Sandusky, Ohio — on its 125th anniversary. Using old photographs and film interwoven with interviews of individuals remembering their own experiences and recollecting stories of others, the program takes the form of a video scrapbook, providing a nostalgic look at how Cedar Point has changed through the years.

Remarks: *APS Exchange.*

Product(s) for Viewers:
VHS, Book

**Chartwell: Home to
Sir Winston Churchill
1922-1965 (1/37)**

[STEREO]

History

Supplier: Pavilion International

Rights: 3RL/2YR

Offered July '95

Contract: 12/1/95-11/30/97

Chartwell, the cherished home of Winston Churchill for 40 years, is the most visited house by American tourists of all the properties of Britain's National Trust. Churchill's youngest daughter, Mary, now Lady Soames, is our guide around this beautiful house. She takes us through the rooms in which so many of her father's momentous decisions were made: the study, where he wrote his influential books and speeches, and which remains much the way he left it in 1964; the dining room, where he entertained some of the century's most famous politicians, artists and celebrities; and the studio and gardens, where he escaped to reflect on the great issues of the day.

new**Conspicuous Consumption (1/51)***Lifestyle*

Supplier: BRITE

Rights: 4RL/2YR

Offered April '97

Contract: 6/30/97-6/29/99

Possibly the most fashionable department store in the world, Harvey Nichols is an establishment frequented by royalty and stars — a veritable theme park for impulse shoppers and the enormously wealthy. In *Conspicuous Consumption*, this London emporium opens its doors to the cameras, and allows a behind-the-scenes look. Producers follow Harvey Nichols' buyers on trips to acquire the latest fashions, and provide a glimpse into the store's marketing and presentation strategies. The program also accompanies customers as they shop, alone or with consultants, and talk about their particular "needs."

new**Dads: Parenting for Fathers (1/47)****[STEREO]***Parenting*

Supplier: Lucky World

Productions

Rights: 4RL/2YR

Offered April '97

Contract: 6/1/97-5/31/99

Dads: Parenting for Fathers shares the personal stories of 10 men with widely ranging experiences to shed light on the realities of fatherhood. Through their eyes, the program reveals the doubts and challenges as well as the pleasures and pride of being a father. The program covers all the major issues for expectant and new fathers, including pregnancy and preparation, birth involvement, bonding with baby, changing priorities, and partner relationship.

Product(s) for Pledge:

Book

Product(s) for Viewers:

Book

new**Day in the Life of India, A (1/56)***History/Culture*

Supplier: CS Associates

Rights: 3RL/2YR

Offered April '97

Contract: 6/30/97-6/29/99

On an early morning in 1985, 18 photojournalists and filmmakers fanned out across India to accumulate images over the span of 100 hours. The result, *A Day in the Life of India*, is a visual time-capsule showing this unique culture in the process of dramatic renewal and change. The film captures the contrasting forces at work in the subcontinent, where the ancient world coexists with the modern one. The images convey the myriad landscapes and illustrate how India has managed to foster prosperity without sacrificing the values of family, religion and ritual that have been at the heart of Indian culture for thousands of years. *A Day in the Life of India* showcases the ancient beauty embodied in the temples that cover the landscape, the paintings and carvings that illuminate forgotten places, and the faces that recall the Mughal empire of the British Raj.

Product(s) for Pledge:

VHS, Book

Product(s) for Viewers:

VHS, Book

new

Dealing With the Demon (3/54)

[STEREO]

Drug Abuse

Supplier: Primetime
Entertainment Inc.

Rights: 4RL/2YR

Offered April '97

Contract: 9/1/97-8/31/99

Heroin is a global commodity that has worked its way into the third world, the emerging democracies of Eastern Europe, and even America's affluent communities. Despite increased policing efforts, the world is facing a quantity and quality of heroin unprecedented in recent history, and 10 times higher than the "plague" of the 1970s.

Dealing With the Demon is a provocative three-part series which investigates international drug laws, drug abuse and drug-related crime. The Australian-produced series brings together these complex threads, and reveals the background essential to understanding the global drug trade and the ongoing debate about illicit drugs in society.

Flag: Contains graphic depiction of drug use.

Despair (1/60)

[STEREO]

Mental Health

Supplier: Connecticut Public TV

Rights: 4RL/3YR

Offered Nov. '95

Contract: 5/1/96-4/30/99

Depression blights the lives of 11 to 20 million Americans annually, compromising health, productivity and intimate relationships. This documentary explores this pervasive mood disorder from multi-ethnic viewpoints. In culturally sensitive personal portraits and interviews with psychiatrists, psychologists, community mental health workers, and spiritual leaders of different racial and ethnic backgrounds, this program unmasks this potentially fatal illness from traditional and non-traditional perspectives. Classical and jazz music, poetry and art enrich this documentary and reveal creativity as a transcendent force when life seems desolate.

Remarks: APS Exchange.

Product(s) for Viewers:
VHS

Diary of the Last Heroes (1/48)

History

Supplier: Primetime

Rights: 4RL/2YR

Offered July '96

Contract: 11/1/96-10/31/98

Using authentic film material and dramatic, personal testimonies, *Diary of the Last Heroes* presents the Warsaw Ghetto Uprising from the unique perspective of some of the survivors. Fifty years after the April 1943 Uprising, fewer than 10 of the ghetto fighters who survived are still alive. This film allows six of them to tell the story of the revolt during which a few hundred young Jews facing nearly certain deportation and death in concentration camps took up arms against the Germans. Their recollections encompass the hope and despair, and at the end, the unbelievable escape of a few of them from certain death.

Remarks: The first year of APS contract is exclusive.

Gift of the Gods, The*
(1/50)

Food/Medicine

Supplier: London Films

Rights: 6RL/2YR

Offered March '96

Contract: 6/30/96-6/29/98

Garlic, the world's best-selling herb, is either loved or hated, but never ignored. This program shows there's more to garlic than meets the nose, and examines the unique way people use or rely on this pungent herb. The phenomenal story of garlic is told from its earliest recorded days in 4,000 B.C., when it was entombed with Egyptians, to today, where it is used by doctors to treat infections and ailments, control garden pests, and make earthenware pots heat-resistant.

Remarks: *Stations are permitted to change the title to Garlic: The Gift of the Gods at their expense.

**God, the Environment
& the Good Life (1/30)**

Social Issues

Supplier: New Hampshire Public
Television

Rights: 4RL/3YR

Non-commercial cable

School re-record

Offered March '95

Contract: 9/1/95-8/31/98

This award-winning program raises provocative questions about the way we define "the good life." It also explores why our religious institutions have been virtually silent on environmental issues, and why, after 30 years, they are suddenly speaking out. A non-denominational movement known as "eco-theology" is growing among Catholic, Protestant, Jewish and Eastern theologians, who say that to protect the environment we must re-define our concept of "the good life." Journalist Barbara Coles explores these issues with theologians, scientists, activists and skeptics as she profiles the lifestyles of people who are challenging society's definition of "the good life."

Remarks: APS Exchange.

Going Up (1/30)

[STEREO]

Architecture

Supplier: Anagram Int'l

Communications

Rights: 6RL/2YR

Offered March '96

Contract: 6/30/96-5/31/98

This highly stylized film documents the construction of a skyscraper on Manhattan's Wall Street waterfront in a spectacular visual essay revealing the modern construction process as an organic unfolding. Eight time-lapse cameras offer rare (and often terrifying) views of the "urban mountaineers" who build our cities, dangling hundreds of feet above the street. The soundtrack consists of cutting-edge music created by a dozen new music composers, deftly mixed with candid conversations — both poignant and humorous — which reveal the ironworkers' thoughts on their dangerous way of life.

Product(s) for Viewers:
VHS

Gospel According to Jesus, The (1/60)

[STEREO]

Religion

Supplier: Connecticut Public TV

Rights: UNL/2YR 2WKS

Non-commercial cable

School re-record

Offered Oct. '96

Contract: 12/15/96-1/1/99

Based on Stephen Mitchell's controversial, best-selling book of the same name, this program addresses the question, "What did Jesus say?" Offering a new translation of the gospels written 2000 years ago, *The Gospel According to Jesus* presents the wisdom of Jesus the Philosopher, rather than the Christian story of Jesus. Readings by Maya Aneglou, Ram Dass, Deepak Chopra and Susan Sarandon.

Remarks: APS Exchange. First month of the contract (12/15/96-1/15/97) is non-exclusive with Cinemax.

Product(s) for Viewers:
VHS, Book

new

Hating Pot, The (1/60)

[STEREO]

Social Issues

Supplier: Connecticut Public TV

Rights: 4RL/2YR

School re-record

Offered Nov. '96

Contract: 5/1/97-4/30/99

The Hating Pot is a 60-minute documentary/performance program based on a musical theater piece created and composed by Elizabeth Swados. In the style of her 1970s Off-Broadway hit *Runaways*, Swados has assembled a multicultural cast of teen and adult performers who, through songs, dance and dialogue, explore prejudice and hatred in the United States. The performers sing folk music from different cultures, blending the musical styles of Yiddish song and African and Spanish rhythms. They dance and tell stories about their own attitudes towards people of different ethnic or religious backgrounds.

Remarks: APS Exchange.

Heart of Healing, The (3/88)

Health Series

Supplier: Turner Program Services

Rights: 3DR/2YR 1MON

Offered Nov. '95

Contract: 3/1/96-3/31/98

This three-part documentary series explores the mind/body connection in health and healing — how religion, intellectual opinion, behavior, attitudes and beliefs can affect the dynamics of well-being. Individual examples of men and women from 12 countries, including the U.S., Holland, Haiti, France and Zimbabwe, complete this groundbreaking testament to the mind and body as powerful allies.

Product(s) for Pledge:
VHS, Book

Product(s) for Viewers:
VHS

**EXCERPTS FROM THE WEB PAGES
OF PUBLIC TELEVISION STATIONS
REGARDING
NATIONAL PROGRAMMING**

EX.503 1



ASCAP Ex. 503



WNVC/56, is an independent (non-PBS affiliated) public TV station. WNVC/56 has been serving the Washington, D.C. metropolitan area from its location in Fairfax County, Virginia since 1983. WNVC is one station operated by the Central Virginia Educational Telecommunications Corporation, a 501(c)3 non-profit organization located in Richmond, VA, which also operates WCVE-TV and FM in Richmond, WHTJ-TV in Charlottesville, VA, and WNVT in Goldvein, VA.

[About WNVC](#) [Membership Information](#) [Programming Highlights](#)
[Program Schedule](#) [Fun & Games](#) [Volunteer Opportunities](#)

prdir@clark.net



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EX.503 33